

Philip Dellinger/R6/USEPA/US
06/13/2008 11:54 AM To
Jose Torres/R6/USEPA/US@EPA, Ray Leissner/R6/USEPA/US@EPA, Larry
Wright/R6/USEPA/US@EPA
cc

bcc

Subject
Fw: Congratulations to Panola County citizens

----- Forwarded by Philip Dellinger/R6/USEPA/US on 06/13/2008
11:59 AM

(b) (6)
06/13/2008 11:49 AM
Please respond to

(b) (6)

To

(b) (6)

(b) (6)
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(b) (6)
(b) (6), countyjudge@htcomp.net,
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Troy.Fraser@senate.state.tx.us, Kim.Brimer@senate.state.tx.us,
(b) (6), bosquecountyjudge@htcomp.net,
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(b) (6), ronf@appliedmechanics.com,
Wendi@TexasEnvironmentalLaw.net

Subject
Re: Congratulations to Panola County citizens

I want to Thank EVERYONE fighting for ALL Texas Residents!
My name is (b) (6) I head up the community awareness group in
Montgomery County currently fighting 4 Class 1 injection well permits
before the TCEQ. As we all know the TCEQ and RRC is OUT OF CONTROL!!!!
We need to work together if and when we can for safe and responsible

disposal. Accountability is a MUST when the lives of millions are at risk.

In our case we are fighting the location, poorly sited. In the middle of

a residential area, over 500 abandoned oil wells within 2.5 miles of proposed site, up to 300 trucks per day coming to the facility (residential area). Fault Lines litter the strata and fissures galore. The Aquifers that would be affected supply the water for 54 counties. Including Conroe, The Woodlands, Kingwood, Spring, HOUSTON, and all the way to the coast. See www.StopTheToxicWells.com for more info and aquifer

map. We also have an online petition we are trying to get 5000 signature please log on and sign it...we would appreciate it and pass it on to all you can.

We have already had our contested case hearing and the SOAH judges recommended the permits (only because no points of law for our type of case to rule against..A.County and another government agency opposing the permits Lone Star Ground Water Conservation Dist) and is now pending the Commissioners public hearing date. When we get that date we would appreciate anyone in or around Austin to join us. I will let everyone know the date when announced. We will intern do the same for anyone else. If you advise me of important dates I will put it out to our database to support others fighting this fight.

We have the wonderful support of all our legislators and elected officials

as they know this location is WRONG. Senator Tommy Williams, Senator Robert Nichols, State Rep. Brandon Creighton, State Rep. Rob Eissler, The Woodlands Township, San Jacinto River Auth. Montgomery County Judge Sadler, All 11 Woodlands MUD dist., Lone Star Ground Water Conservation District, The School board, and MANY MORE and yet they have NO say over an

appointed board, something is very wrong with this picture.

The citizens are winning because it is WRONG and right must prevail. If the EPA does not step in and take control they are failing us to.

Thank you and best of luck to all,

(b) (6)

[REDACTED]

[REDACTED]

[REDACTED]

-----Original Message-----

From: (b) (6)

Sent: Jun 13, 2008 10:42 AM

To: (b) (6)

[REDACTED]

[REDACTED]

[REDACTED]

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Wendi@TexasEnvironmentalLaw.net

Subject: Re: Congratulations to Panola County citizens

1. The folks in Panola county are to be complimented on their work in trying to get some decent drinking water. It's about time. Also, sounds to me like some lawyers need to step up to the plate and help the Reverend.

2. Also very good work, Bill--however I don't share your optimism. There may be some little-bitty, baby steps being made; but, what we need are giant leaps. The EPA gave all these rights to the state agencies here

in Texas, namely the TCEQ and the RRC. And these agencies have wrought slaughter onto the people of Texas who Live On the Land. Until the EPA yanks these rights back to make a national example of these turkeys, nothing is likely to change here in Texas--people will continue to be ruined. You are lucky in that you have a good bunch of county officials up there in Bosque County, unlike our situation in Booger County.

3. Here are a few examples of what is going on in Booger County. There's many examples of lax enforcement of lax rules on the part of the TCEQ and the RRC in and about the Savell Field. Gas drilling and production abounds. Operators have their selected and designated local "cheer leaders" to jabber and promote how good the gas drilling is. Some people are getting filthy rich--we've been ruined and run out of our home.

a. Some well sites appear to be used as toxic waste dumps. Very ingenious waste disposal schemes are being invented and used. Old pits seem to be used as water sources for some purpose. Nobody regulates the well sites. The RRC "regulates" the hole in the ground and the meter; but, nobody regulates the site--TCEQ says it's up to the RRC. Much treatment equipment including emission producing amine plants, injectors and dehydrators are located at the unregulated well sites. When water disposal is discovered and reported at a site, they just move it down the road to another well site and continue. Waste water is being poured onto the ground and onto county roads. And, that's just what you can see from the public road--no telling what is way behind there on those lease roads??

b. Many Amine gas plants are spewing Acid Gas into the air along with much CO2 that causes local damage. A lot of the H2S is "masked" & deodorized. And then there's the BTEX compounds along with the VOC's, Sox' s and NOX's from combustion sources including compressor stations which emit noise, including the particularly damaging low frequency noise. And ther's the mercury emissions.

c. We have the TxDOT down there, reportedly, allowing O&G activities to use the public road ROW for their activities—report it and nothing happens.

d. Then we have the sour gas being called SWEET—for some operators everything is sweet, sweet! We have adjacent wells by different operators—one sweet and one sour—strange. There's been several of those well "events" including real bonified blowouts that burned the rig down & many evacuations. Basically, we have bad gas being produced from cheap old bad wells with a lot of bad waste being spewed into the air and dumped on the ground and into the water. Tubingless completions are being used on HPHT gas wells. I used to worry that the RRC let them do this foolishness, until I discovered that the RRC doesn't even require casing to be used in the well, except for surface pipe. Real tough rules, Ha. If the gas is so sweet, why do they need all these stinking "sweetening" plants??

e. To give you a flavor of the local situation, two bus loads of Booger county officials went to Austin to be in support of a dirty 'ole coal fired power plant now being built. Then, if you complain about the gas drilling activities, they will "jack" up your property taxes, 32% this year—Ve have our vays!

4. This business of "rubber stamping" by the TCEQ has to come to an end. The foolishness of the "Permits by Rule" is ridiculous and dangerous to the public. When it comes to O&G, their actions are unbelievably "friendly" to the industry. There are conflicting requirements for disposal wells among the state agencies. These conflicting requirements are to the benefit of the operators and to the detriment of the public.

5. Now, to end this "soap box" session, the Texas legislature MUST enact some kind of LOL (Live On the Land) law to balance the almighty power of the mineral interest owners and O&G companies!

Lionel Milberger

In a message dated 6/10/2008 10:11:18 P.M. Central Daylight Time, (b) (6) writes:
David,

Thanks for updating me on your lawsuit case and "congratulations" on FINALLY, after 12 years of fighting the RRC, TCEQ, and EPA, in getting the citizens of Panola County connected to a SAFE source of drinking water as the contractors were on site and the material for this project was being unloaded onsite - TODAY - as we spoke by phone.

I have read all of the legal documents you sent (13 total) and all I can say is "WOW". The last I remember from your lawsuit was that a federal judge had dismissed your case claiming that the RRC Commissioners were

"immune" from any actions leading to the contamination of the groundwater from commercial oil and gas waste disposal well activities in Panola County.

I'm not a lawyer and I do not understand all the legal arguments in the documents but based on what you told me today, your case is going forward in a federal court. I have several folks that are interested in your case as many of us are fighting the same fight to protect our drinking water sources from oil and gas waste contamination due to the relaxed permit approval (rubber stamping) and enforcement policies of the RRC.

I was very interested in the comments you heard from an EPA Region 6 Representative in reference to our recent Infinity Disposal Well explosion and fire. The EPA folks sent me website links to their Investigative Report. I have challenged the accuracy and validity of their report but they have not responded.

Erath County citizens are currently fighting another disposal well application for a well that has already been drilled near Dublin, TX. The applicant published their "public notice" in the Fort Worth-Star Telegram - a newspaper 75 miles and two counties away from the town and county nearest the disposal well site. The RRC should have rejected this application and enforced their regulations that the public notice must be published in the county where the well is to be drilled and in a newspaper of "general" circulation in that county. Instead, the RRC accepted the application and most likely would have "rubber stamped" it approved had some concerned citizens not protested the application. The case has gone to hearing and was scheduled to be heard by the RRC Commissioners today.

As you know, (b) (6) and the citizens of Wise County are continuing to win the argument of "public interest" issues with the RRC. The Texas 3rd Appellate Court has ruled twice in favor of the citizens. The RRC will have to appeal this case to the Texas Supreme Court if they want to continue their fight against the citizens.

The citizens of Bosque County are also winning in the RRC hearing process (another landmark case concerning public interest) as the RRC Commissioners ruled in favor of the citizens (even after the RRC Hearing Examiners recommended that the injection permit be approved). The RRC Commissioners recently DENIED the injection application and declared the disposal well as "not needed" and not in the "public interest" while referencing the Popp case. The Bosque County folks have spent over \$250,000.00 fighting this disposal well that the RRC allowed to be drilled and completed prior to the applicant submitting and obtaining an approved W-14 Permit to inject oil and gas waste.

The RRC does not require that an applicant, when applying for a W-1 "drilling" Permit, to disclose that the well will be used for "Commercial" disposal of oil and gas waste!

The citizens of Texas are winning.

(b) (6)

Vote for your city's best dining and nightlife. City's Best 2008.

(b) (6)

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